

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

IN RE:	§	CASE NO. 09-20037-C-13
	§	
FLORES JR., JOSE O.	§	
FLORES, LISA L.	§	
DEBTOR(S)	§	CHAPTER 13

**DEBTOR(S)' MOTION TO MODIFY CONFIRMED PLAN AND NOTICE  
OF HEARING AND TIME TO OBJECT**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 20 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

**A HEARING ON THIS PROPOSED MODIFICATION IS SET FOR  
AUGUST 29, 2011 AT 2:00 O'CLOCK P.M., UNITED STATES BANKRUPTCY  
COURT, 1133 N. SHORELINE, 2ND FLOOR, CORPUS CHRISTI, TEXAS.**

**THE DEBTOR(S)** move to Modify their confirmed plan as follows:

1. **HISTORY OF CASE:** This case was filed on 1/23/2009 and the plan was confirmed on 4/20/2009. The plan has been previously modified on the following dates:n/a.
2. **REASONS FOR MODIFICATION:** Debtors wish to modify their plan to lower trustee payments due to the arrival of a fourth child in December 2011. They are currently have increased medical expenses for the delivery of the baby, then increased household expenses once the babies arrives.

3. **PROPOSED PLAN MODIFICATIONS:**

- a. All plan payment defaults are cured by this modification
- b. Future plan payments to the Trustee shall be as follows:

(1)Months:1-27	Payment \$402.59
(2)Months:28	Payment \$250.00
(3)Months:29-60	Payment \$150.00

- c. The following claims will be barred for failure to file a proof of claim by the bar date: panhandle plains \$13886, panhandle plains \$6382, panhandle plains \$3835, panhandle plains \$1949, panhandle plains \$2600, panhandle plains \$1949, panhandle plains \$678, panhandle plains \$238, sears,

4. **INTERIM PAYMENTS:** Payments due under this modification will commence on the first due date after this modification is filed, whether or not the modification has no yet been approved by the court.

5. **BUDGET:** Copies of Debtor(s)' most recent pay stubs and tax return have been provided to the Trustee and:

Amended schedules I and J have been filed with the court.

6. **ATTORNEYS' FEES:** Debtor(s)' counsel shall be paid \$450.00 through the plan as a fixed fee for this modification.

7. All provisions of Debtor's confirmed plan not modified herein shall remain in effect.

I (we) declare under penalty of perjury that the foregoing represents the terms of the modified plan proposed for confirmation by Debtor(s).

/s/ Pat B. Fossett  
Attorney for Debtor(s)

/s/ Flores Jr., Jose O.  
Debtor

Date: 7/13/2011

/s/ Flores, Lisa L.  
Joint Debtor

**CERTIFICATE OF SERVICE**

This is to certify that on this day, a true and correct copy of the foregoing was/were served via U.S. Mail, postage prepaid or Notice of Electronic Filing to the following parties:

**TRUSTEES**

Cindy Boudloche, Trustee  
555 N. Carancahua, Ste. 600  
Corpus Christi, TX 78475

United States Trustee  
606 N. Carancahua, Ste. 1107  
Corpus Christi, TX 78476

**DEBTOR**

Mr. Jose O. Flores, Jr. and Ms. Lisa L. Flores  
P.O. Box 31  
Edroy, TX 78352

**CREDITORS**

Attached creditors matrix

MALAISE LAW FIRM

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Date

/s/ Pat B. Fossett  
Pat B.Fossett, Attorney(s) for the Debtor  
Bar No. 24004652 Fed 22549  
606 N. Carancahua St., Ste.1100  
Corpus Christi, Texas 78476  
(361) 884-7400/FAX: 882-3299